IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Crl.Rev.Pet.No. 1456 of 2007()

MC.19/2000 of JUDL.MAGISTRATE OF FIRST CLASS, PERAMBRA

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REVN. PETITIONER: PETITIONER

ALIKKUTTY, S/O.ABDULLA,
KEEZHARIYUR AMSOM, KOZHIKODE.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS: STATE

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1. RUKHIYA, D/O.KUNHAMMAD,
NOCHAD AMSOM, VELLIYUR DESOM.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.P.V.KUNHIKRISHNAN
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P.No. 1456 of 2007

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Dated, this the 27th day of June 2007

ORDER

A sum of Rs. 1,09,000/- was awarded to the first respondent herein in Crl. M.C. 19 of 2000 before the J.F.C.M.-I, Perambra filed under Sec. 3 of the Muslim Women (Protection of Rights on Divorce) Act, 1986. This Revision arises from the proceedings in execution of the said order. In as much as the award under Sec. 3 of the said Act has become final with the dismissal of Crl.R.P. 915 of 2003 by this Court, the petitioner cannot wriggle out of his liability to pay the amount to the first respondent. It is admitted that he has paid only a part of the amount and a sum of Rs. 86,000/- (Rupees eight six thousand only) remains to be paid. Eventhough the learned counsel for the revision petitioner/husband prayed for installment facility , the learned counsel for the first respondent was not agreeable for the same on the ground that she has no means to maintain herself. Considering the facts and circumstances of the case, I am of the view that some indulgence can be shown to the petitioner in the form of facilitating him to discharge his liability in five equal monthly installments. Accordingly, the revision petitioner shall deposit before

the J.F.C.M. I, Perambra or pay to the first respondent the aforesaid amount in five equal monthly installments commencing from 1-8-2007. The monthly installment works out to 17,200/- (Rupees seventeen thousand two hundred only). If the revision petitioner commits default in any of the installments, then the entire balance amount shall become payable in one lump sum .

This Crl.R.P. is disposed of accordingly.

V. RAMKUMAR,
(JUDGE)

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